

## Compliance Assessment Report CAR\_NRW0040548

**Permit being assessed:** AB3891ZU.

For: Ty Mawr Farm Former Landfill, held by Edward Shervington

At: St Brides, Wentlooge, Newport, NP10 8SF.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 13/10/2022 between 11:30 and 12:30.

Parts of permit assessed: Various

**NRW Lead Officer:** Chris Burge.

**Report sent to:** Edd Shervington , TCM on 17/10/2022.

### 1. Summary of our findings (full details in section 4)

| Part of permitted activity assessed (criteria)                        | Assessment result | Permit condition |
|-----------------------------------------------------------------------|-------------------|------------------|
| A1 - Specified by permit                                              | Assessed (A)      |                  |
| B3 - Infrastructure - Site drainage engineering (clean and foul)      | Assessed (A)      |                  |
| B4 - Infrastructure - Containment of stored materials                 | Assessed (A)      |                  |
| C1 - General Management - Staff competency/training                   | Assessed (A)      |                  |
| C2 - General Management - Management system and operating procedures  | Assessed (A)      |                  |
| C3 - General Management - Materials acceptance                        | Assessed (A)      |                  |
| C4 - General Management - Storage, handling labelling and Segregation | Assessed (A)      |                  |
| E2 - Emissions - Land and groundwater                                 | Assessed (A)      |                  |

Result types are explained in more detail in the 'Important Information' section below.

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 0                                        | 0                          |

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

### 2. What action is required?

No action required.

### 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

**At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

**4. Details of our assessment**

This report details the site visit made on the 13th of October 2022 to Ty Mawr Farm Former Landfill, Newport, permit reference number EPR-AB3891ZU.

Officer Chris BURGE attended the Ty Mawr Farm Former Landfill site at St. Brides, Wentlooge, Newport, NP10 8SF for a routine site inspection at 11:30am where we met with Mr. Edward SHERVINGTON (Technically Competent Manager). The weather was dry, Sunny, and warm

**GENERAL OBSERVATIONS**

Ty Mawr Farm Former Landfill site operate under a tier 3 bespoke permit for the permanent deposit of waste to land as a recovery operation. The only permitted activity is the recovery of waste. Activities involving disposal of waste are not allowed. The permit allows the operator to store and subsequently use waste for the purposes of restoring part of a former landfill, as detailed in the approved waste recovery plan. Waste can be stored on site prior to use. There is to be no-pre-treatment of waste prior to use. Permitted wastes do not include hazardous wastes. The total quantity of waste that can be stored and subsequently used at the site under this permit shall not exceed 189,741 tonnes in total (and no more than 75,000 tonnes annually). The site was operational at the time of the site inspection.

**WASTE ACTIVITIES - WASTE RECOVERY**

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Officer Burge was shown around the area marked within the permit, there was no material being stored at the site Mr Shervington had previously explained they haven't used this area for several months as all material had been procced.



Photo 1 Shows the area was clear of all material and in a well-maintained condition.

### **SITE INFRASTRUCTURE**

During the site inspection there were no apparent issues with the sites drainage / infrastructure, which was in good condition. Due to the amount of heavy machinery using the site such as JCB's / tractors / HGV's, this should be regularly inspected to ensure that any hardstanding areas remains intact and impermeable, whilst under heavy usage.

### **WASTE RETURNS**

All waste returns have been submitted, I reminded Mr Shervington that even if no material is stored zero waste returns need to be submitted, this permit requires quarterly returns to be submitted

## **Deadlines for submitting waste returns**

### **Quarterly returns**

| Quarters                 | Deadline for return |
|--------------------------|---------------------|
| January 1 to March 31    | April 30            |
| April 1 to June 30       | July 31             |
| July 1 to September 30   | October 31          |
| October 1 to December 31 | January 31          |

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

| Assessment result | Description                                                       |
|-------------------|-------------------------------------------------------------------|
| Assessed (A)      | Assessed or assessed in part, no evidence of non-compliance found |
| Action only (X)   | Action only relating to the activity assessment                   |
| Ongoing (O)       | Ongoing non-compliance, not scored                                |

| Non-compliance category    | Description                                                                                                                 | Score |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------|
| C1 Major                   | Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property | 60    |
| C2 Significant             | Potential to have a significant impact or effect on the environment, people and/or property                                 | 31    |
| C3 Minor                   | Potential to have a minor or minimal impact or effect on the environment, people and/or property                            | 4     |
| C4 No environmental impact | Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property       | 0.1   |

### How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

### **What are suspended scores?**

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

### **Full list of Industry and Waste action criteria (used in section 1 and 2):**

#### **A: Permitted activities**

- A1 Specified by permit

#### **B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

#### **C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

#### **D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

#### **E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

#### **F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

#### **G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

#### **H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

**Enforcement response**

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

**Data protection notice**

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

**Disclosure of information – this report will be available to view on-line**

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

**What do I do if I disagree with the report or have a complaint?**

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

**Welsh Language Standards**

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.